

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE COMMISSION.

Plaintiff,

v.
**TOTAL WEALTH
MANAGEMENT INC : et al**

Defendants.

Case No. 15-cv-226 BAS (DHB)

ORDER DENYING MOTION TO INTERVENE

[ECF 23]

Having reviewed Mark Feather's motion to intervene in this action, the Court finds Feathers has no standing to intervene either as of right or permissively. ECF 23; Fed. R. Civ. P. 42(a)–(b). He has not established that either he has a protectable interest in the instant litigation or independent grounds for jurisdiction. Thus, the Court **DENIES** his motion. Additionally, his accusations relating to Thomas Seaman, who himself is not a party or a receiver in the present litigation, have previously been heard and decided on the merits. *See SEC v. Small Business Capital, et al.*, 5:12-cv-3237 (N.D. Cal. 2012), ECFs 1013, 622, 737. He is

1 therefore estopped from pursuing them in this suit.

2 Because of Feathers' history of filing meritless and frivolous papers with the
3 courts, this Court will *sua sponte* review any subsequent filings in this action by
4 Feathers. If the Court requires responsive briefing, the Court will issue a briefing
5 schedule. Feathers is warned that further filings may result in fee-shifting or other
6 sanctions if the Court deems it necessary.

7 **IT IS SO ORDERED.**

8 Dated: May 7, 2015



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10 Hon. Cynthia Bashant
United States District Judge
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